

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 1:17-cr-00106-003</b>
	)	
<b>DANIEL THOMAS HERSL</b>	)	

**MOTION TO REDUCE TERM OF IMPRISONMENT TO TIME SERVED**

**COMES NOW** the United States of America, by the Director of the Federal Bureau of Prisons (“BOP”), and through the undersigned Assistant United States Attorney, and respectfully moves the Court pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) to modify the term of imprisonment of the Defendant, DANIEL HERSL, to time served based on his terminal medical condition. In support hereof, the United States and the Director of the BOP state as follows:

1. Following a jury trial, in 2018, Mr. Hersl was convicted of one count of racketeering conspiracy (18 U.S.C. §§ 1962(d)); one count of racketeering (18 U.S.C. §§ 1962(c)); and one count of Hobbs Act robbery (18 U.S.C. § 1951(a)).
2. On June 22, 2018, the court sentenced Mr. Hersl to a 216-month term of imprisonment, followed by 3 years of supervised release. The court also imposed a \$300 special assessment and \$27,893 in restitution.
3. Mr. Hersl currently has a projected release date of July 10, 2031.
4. Mr. Hersl, age 55, has been diagnosed with metastatic stage IV prostate cancer. Despite treatment, his disease has continued to progress, and future treatment options are palliative in nature and not curative. Mr. Hersl is considered to have a terminal medical condition, and medical personnel for the BOP have now determined that his life expectancy is expected to be significantly less than 18 months.

5. Mr. Hersl previously moved for Compassionate Release, including a motion filed in July 2024, in which he acknowledged that he “publicly accepted full responsibility for his conduct.” ECF No. 856 at 1. Despite having opposed Mr. Hersl’s motion, the United States Attorney’s Office for the District of Maryland is now filing this motion on behalf of the Director of the BOP in light of the updated assessment of Mr. Hersl’s life expectancy and the determination for the first time by the Director of the BOP that Mr. Hersl is appropriate for a reduction in sentence due to his terminal condition.

6. Once released, Mr. Hersl will reside with his sister at her home in Kingsville, Maryland. This release plan has been approved by the United States Probation Office for this District.

**WHEREFORE**, it is respectfully requested that the Court reduce the term of imprisonment to the time Mr. Hersl has now served. Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), the Court, upon motion of the Director of the Federal Bureau of Prisons, may modify a term of imprisonment upon the finding that “extraordinary and compelling reasons” exist to warrant a reduction. Consistent with § 3582(c)(1)(A)(i) and U.S.S.G. § 1B1.13(b)(1)(A), Mr. Hersl’s terminal medical condition and limited life expectancy constitute “extraordinary and compelling reasons” warranting the requested reduction. Mr. Hersl would not, however, be subject to complete release, as he would begin serving the three-year term of supervised release previously imposed by the Court.

Respectfully submitted,

EREK L. BARRON  
United States Attorney

By: \_\_\_\_\_/s/\_\_\_\_\_  
Ari Evans  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Government's filing was served via ECF on the above-captioned defendant's counsel.

\_\_\_\_\_/s/\_\_\_\_\_  
Ari Evans  
Assistant United States Attorney